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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GIAMPAOLO SGURA,

Plaintiff,

v.

BLISSY, LLC; and DOES 1 through 10
inclusive,

Defendants.

Case No. 2:23-cv-4253

COMPLAINT FOR

(1) COPYRIGHT INFRINGEMENT

Plaintiff Giampaolo Sgura, for its Complaint against Defendants BLISSY, LLC, and DOES 1 through 10 inclusive, alleges as follows:

JURISDICTION AND VENUE

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the Copyright Act of the United States, 17 U.S.C. § 101 *et seq.*

2. This Court has subject matter jurisdiction over Plaintiff's claims for copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

3. This court has personal jurisdiction over Defendants because Defendants' acts of infringement complained of herein occurred in the state of California, Defendants' acts of infringement were directed towards the state of California, Defendants caused injury to Plaintiff within the state of California, and Defendants have a physical presence in the state of California.

4. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and

1 1400(a) in that this is the judicial district in which substantial part of the acts and
2 omissions giving rise to the claim occurred.

3 **PARTIES**

4 5. Plaintiff Giampaolo Sgura is an Italian fashion photographer.

5 6. Defendant BLISSY, LLC is a limited liability company with a business
6 address of 2140 N Hollywood Way, Suite #10639, Burbank, CA 91505.

7 7. Plaintiff is unaware of the true names and capacities of the Defendants
8 sued herein as DOES 1 through 10, inclusive, and for that reason, sues such
9 Defendants under such fictitious names. Plaintiff is informed and believes and on that
10 basis alleges that such fictitiously named Defendants are responsible in some manner
11 for the occurrences herein alleged, and that Plaintiff's damages as herein alleged were
12 proximately caused by the conduct of said Defendants. Plaintiff will seek to amend
13 the complaint when the names and capacities of such fictitiously named Defendants
14 are ascertained. As alleged herein, "Defendant" shall mean all named Defendants and
15 all fictitiously named Defendants.

16 **FACTUAL ALLEGATIONS**

17 8. Plaintiff Giampaolo Sgura is a professional fashion photographer.

18 9. Sgura is the author of model posing in a bed ("Sgura Photograph").

19 10. The Sgura Photograph is registered with the United States Copyright
20 Office under registration number VA 2-253-759.

21 11. Attached hereto as Exhibit A is a true and correct copy of the Sgura
22 Photograph.

23 12. Defendant BLISSY, LLC ("BLISSY") is company that sells natural and
24 hypoallergenic silk pillowcases.

25 13. Defendant BLISSY advertises its product through various channels
26 including via the social media network Instagram.

27 14. Defendant BLISSY owns and operates the Instagram account
28 @blissybrand, which is uses to market and advertise its product.

1 the court in its discretion may allow the recovery of full costs as well as reasonable
2 attorney's fees and costs pursuant to 17 U.S.C § 505 from Defendant.

3 25. Plaintiff is also entitled to injunctive relief to prevent or restrain
4 infringement of her copyright pursuant to 17 U.S.C. § 502

5
6 **PRAYER FOR RELIEF**

7 **WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

- 8 • For an award of actual damages and disgorgement of all of Defendant's
9 profits attributable to the infringement as provided by 17 U.S.C. § 504
10 in an amount to be proven or, in the alternative, at Plaintiff's election,
11 an award for statutory damages for each infringement pursuant to 17
12 U.S.C. § 504(c), whichever is larger;
- 13 • For costs of litigation and reasonable attorney's fees against Defendant
14 pursuant to 17 U.S.C. § 505;
- 15 • For an injunction preventing each Defendant from further infringement
16 of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502;
- 17 • For pre judgment interest as permitted by law; and
- 18 • For any other relief the Court deems just and proper.

19 Dated: May 31, 2022

20 Respectfully submitted,

21 **/s/ Mathew K. Higbee**
22 Mathew K. Higbee, Esq.
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Attorney for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff Giampaolo Sgura hereby demands a trial by jury in the above matter.

Dated: May 31, 2022

Respectfully submitted,

/s/ Mathew K. Higbee
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